

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>DAVID B. GOLUBCHIK (State Bar No. 185520) JEFFREY S. KWONG (State Bar No. 288239) LEVENE, NEALE, BENDER, YOO & BRILL L.L.P. 10250 Constellation Boulevard, Suite 1700 Los Angeles, California 90067 Telephone: (310) 229-1234 Facsimile: (310) 229-1244 Email: DBG@LNBYB.com; JSK@LNBYB.COM</p> <p>Attorneys for Debtor and Debtor in Possession</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION</p>	
<p>In re:</p> <p>ATHERTON FINANCIAL BUILDING, LLC,</p> <p style="text-align: center;">Debtor and Debtor in Possession.</p> <p style="text-align: right;">Debtor(s)</p>	<p>Lead Case No.: 2:14-bk-27223-CB CHAPTER <u>11</u></p> <p>NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE RE:</p> <p><u>MOTION FOR ORDER (1) AUTHORIZING DISBURSEMENT OF FUNDS TO CREDITORS; AND (2) DISMISSAL OF BANKRUPTCY CASE; DECLARATION OF BENJAMIN KIRK</u></p>

PLEASE TAKE NOTE that the order titled **ORDER RE: MOTION FOR ORDER (1) AUTHORIZING DISBURSEMENT OF FUNDS TO CREDITORS; AND (2) DISMISSAL OF BANKRUPTCY CASE** was lodged on **January 20, 2015** and is attached. This order relates to the motion which is docket number 50.

1 A hearing was held on January 14, 2015 at 2:00 p.m. to consider the Motion For Order
2 (1) Authorizing Disbursement Of Funds To Creditors; And (2) Dismissal Of Bankruptcy Case
3 (“Motion”) filed by Atherton Financial Building, LLC (the “Debtor”). Appearances were as set
4 forth on the Court’s record.

5 This Court, having considered the Motion and all evidence and other documents filed in
6 support of the Motion, the response filed by the Office of the United States Trustee, the limited
7 objection filed by Lucy Gao, the Debtor’s reply thereto, the statements and representations of
8 counsel made at the hearing on the Motion, the entire record in the Debtor’s bankruptcy case,
9 and good cause appearing,

10 **IT IS HEREBY ORDERED AS FOLLOWS:**

- 11 1. The Motion is granted in part, as set forth below;
- 12 2. The Debtor is authorized to distribute funds held by Levene, Neale, Bender, Yoo
13 & Brill L.L.P. (“LNBYB”) to its creditors, as set forth in the Motion, as well as the Office of the
14 United States Trustee (“OUST”) and professional fees owing to LNBYB;
- 15 3. Until such time as payment to OUST is made, the OUST is hereby granted a
16 judgment against the Debtor for \$13,325.00, representing the unpaid quarterly fees due and
17 owing to the OUST;
- 18 4. The Debtor is authorized to release \$50,000 to LNBYB to fund a retainer for an
19 anticipated bankruptcy case for the Debtor’s affiliate;
- 20 5. Other than the foregoing disbursements, the balance of the funds held by
21 LNBYB shall be held by LNBYB and disbursed upon further order of this Court; and

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1 6. The hearing to consider dismissal of the Debtor's bankruptcy case is hereby
2 continued to January 21, 2015 at 2:00 p.m.

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
10250 Constellation Boulevard, Suite 1700, Los Angeles, California 90067

A true and correct copy of the foregoing document entitled **NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* **January 20, 2015**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Douglas G Boven dboven@reedsmith.com, gsandoval@reedsmith.com
- Christopher D Crowell ccrowell@frandzel.com, efiling@frandzel.com;shom@frandzel.com
- Michael G Fletcher mfletcher@frandzel.com, efiling@frandzel.com;shom@frandzel.com
- David B Golubchik dbg@lnbyb.com, dbg@ecf.inforuptcy.com;stephanie@lnbyb.com
- Jeffrey S Kwong jsk@lnbyb.com
- Queenie K Ng queenie.k.ng@usdoj.gov
- Laura Palazzolo laura.palazzolo@berliner.com
- Jeffrey S Shinbrot jeffrey@shinbrotfirm.com, sandra@shinbrotfirm.com
- United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov
- Reed S Waddell rwaddell@frandzel.com, efiling@frandzel.com;sking@frandzel.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On *(date)* **January 20, 2015**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Hon. Thomas B. Donovan
United States Bankruptcy Court
255 E. Temple Street, Suite 1352 / Courtroom 1345
Los Angeles, CA 90012

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL *(state method for each person or entity served)*: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* **January 20, 2015**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 20, 2015 Lourdes Cruz
Date *Printed Name*

/s/ Lourdes Cruz
Signature